

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re No. 13-53846
CITY OF DETROIT, MICHIGAN, Chapter 9
Debtor. HON. STEVEN W. RHODES

EXHIBIT 100

**APPELLEE STATE OF MICHIGAN'S DESIGNATION OF
ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

In connection with Notice of Appeal filed by
William M. Davis and DAREA [Dkt. #8369].

Item	Date Filed	Docket Number	Description
100	10/31/2014	8151	Objection To The Filing Of Redlined Version Of Eighth Amended Plan For The Adjustment of Debts of the City of Detroit Failure to File in Good Faith and Court Lacks Jurisdiction filed by Tyuana Morris, Keith M. Hines, Gloria Ann Surles, Dorothea Harris, William M. Davis, Martha Jones, Hassan Aleem and Carl Williams

FILED (I)
2014 OCT 31 P 3:34
U.S. BANKRUPTCY COURT
E.D. MICHIGAN DETROIT

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CARL WILLIAMS AND HASSAN ALEEM et al
Creditors/Objectors,

v

In re:	Chapter 9
CITY OF DETROIT, MICHIGAN	Case No. 13-53846
AND EMERGENCY MANAGER	Judge Steven W Rhodes
KEVYN D. ORR	
Debtors/City of Detroit	Case No. 14-cv-10434
	Hon. Bernard A. Friedman
	Magistrate Paul J. Komives

**OBJECTION TO THE FILING OF REDLINED VERSION OF EIGHTH
AMENDED PLAN FOR THE ADJUSTMENT OF DEBTS OF THE CITY
OF DETROIT FAILURE TO FILE IN GOOD FAITH AND THE COURT
LACKS JURIDITION**

We/I OBJECT TO THE REDLINED VERISON OF THE EIGHTH AMENDED
PLAN OF ADJUSTMENT FOR THE DEBTS OF THE CITY OF DETROIT AND
CONFIRMATION OF THE PLAN, THERE WAS NO NOTICE, IT WAS AFTER
THE FACT, UNTIMELY, CONTRARY TO THE FACTS, MISREPRESENTATION
OF THE BANKRUPTCY CODE AND RULES AND HAS NOT BEEN PRESENT
ED AND CONDUCED IN A GOOD FAITH MANNER.

We/I object to the filing of redlined version of the Eighth Amended
Plan of Adjustment for the debts of the city of Detroit and confirmation of any
Plan stemming from or connected to this Plan of Adjustment and show the
following:



1) We object to the plan of adjustments and any confirmation of the plan because on its face, according to Judge Steven W Rhodes order and opinion and our objections regarding good faith make it irrefutable and uncontested that the bankruptcy failed to file and conduct the proceeding in good faith, which is grounds for a dismissal by itself, neither alone the other violations of bankruptcy codes 11 USC 903, 904, 923, and 921 and Fed.R.Bankr. P. 9007, 9008, thus has failed to meet the requirement of title 11 U.S.C. 903, 904, 923 and Bankruptcy Procedures Rules 9007and 9008 and has failed to meet the requirement of title 11 U.S.C. 921 (c) and should be dismissed, as required by 11 U.S.C. 921 (c).

Kevyn Orr the emergency manager, because he not an elected official, nor was any consent given voluntary or otherwise. See Bankruptcy City of Harrisburg Pennsylvania,465 B.R. 744 (Bankr. M.D.Pa 2011), In this case the court determined that case should be dismissed because the City Council did not have the authority under the chapter law and third class city code to commence a bankruptcy case on the behalf of the city of Harrisburg and (2) the city of Harrisburg was not specifically authorized under state law to be a debtor under chapter 9 of the Bankruptcy code as required by 11 USC sect 109 (c) (2).

In this case the circumstances are the same both officials are not authorized to

file for Bankruptcy and Detroit have no legal state authority to be a debtor therefore, the court lack jurisdiction over the person which is Kevyn Orr and the subject matter being Bankruptcy and violated 11 U.S.C. 109 (c). "Only a municipal may file for relief under chapter 9 for bankruptcy." and Fed. R. Civ. Proc Rule 12 b (1), (2) and (h3) and the case should be dismissed.

Whenever it appears by suggestion of the parties or otherwise that the court lack jurisdiction of the subject matter, the court shall dismiss the action. Fed R. Civ Proc. 12 (h) (3).

The bankruptcy was not filed and has not proceeded in a good faith manner and contravened the bankruptcy codes 11 USC 903, 904, 923 and Fed.R.Bankr.P. 9007, 9008, thus has failed to meet the requirement of title 11 U.S.C. 903,904, 923 and Bankruptcy Procedures Rules 9007and 9008 and has failed to meet the requirement of title 11 U.S.C. 921 (c) and should be dismissed, as required by 11 U.S.C. 921 (c).

It is customary and a long standard principle that once an agency or a court has issued rules and regulations to govern its activity, The court's ruled that any time an agency promulgate rules they must scrupulously follow those rules or the decision cannot stand and may not violate them. In this case we are referring to Bankruptcy rules and codes and to bargain in good faith,

regardless who makes the rule they must be followed in a civilized society of rules and law making procedures. Security & Exchange Comm v. Chenery 318 U.S. 80 87, 88 (1943), Service v Dulles, 354 U.S. 363 77 S. Ct 1152, p1 L.ED2nd 1403 (1957) Pacific Molasses Co. v FTC, Tex (356 F2d 386 (1966).

How can the court legally rule that the City of Detroit is eligible under the Bankruptcy procedures with all of these multiple violations and there are other violations that other objectors has filed. The bankruptcy code state the bankruptcy can only be approve providing you comply with the codes and rules not violate them and the decision cannot stand. See Security & Exchange Comm v. Chenery supra citing Service v Dulles, citing Pacific Molassess supra.

4) The Bankruptcy Court is a non Article III Constitutional court and is without constitutional authority to hear and determine the issue raised in the Eligibility Objections or regular Municipal Bankruptcy hearing. The retirees, pensioners and any person of interest and those who are affected by the Bankruptcy are Constitutionally entitled to have an Article III court determine basic redressable Constitutional issues affecting their livelihood as citizens of the state of Michigan is a due process and equal protection of the law violation of Article 1 section 2 of the State of Michigan Constitution and the 14th

Amendment of the United State Constitution. See Northern Pipe Line

Construction Company V Marathon Pipe Line Company 458 U.S. 50 (1982)

Thomas Wood (American Casebook Series) 2004: ISBN 0 314-14928-7

5) The court in Waldman concluded that parties may not consent to certain adjudication by Article I bankruptcy judge could also apply to other non-Article III judges, including federal magistrate judges. Waldman v. Stone, 698 F.3d 910 (6th Circuit 2012).

In this instance we never was allowed the opportunity to choose or consent to an Article I bankruptcy judge or Article III judge and was not by the consent of the municipality of any elected official

I/We hereby certify that the statements made herein are true and correct to the best of my knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

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City, State & Zip

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Debtor/ Case No. 14-cv-10434
Hon. Bernard A. Friedman
Magistrate Paul J. Komives

PROOF OF SERVICES

Carl Williams, being first duly sworn deposes and
your name

Say that on October 30 2014. I sent a copy of Objection to the filing of relined
version of eighth Amended plan for the Adjustment of Debts of the City of Detroit
failure to file in good faith and the court lacks jurisdiction, Upon the concern
parties by certified mail at the following address:

City of Detroit
Corporation Council
First National Building
600 Woodward Ave
Detroit, Michigan 48226

Emergency Manager
Kenyn Orr
Coleman A Young Municipal Center
2 Woodward 11th floor
Detroit, Michigan 48226

I/We hereby certify that the statements made herein are true and correct to the best of my knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

Sign Carl B. Williams